CALIFORNIA LEGISLATURE 1997–98 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, July 1, 1997

NINETY-EIGHTH SESSION DAY TWO HUNDRED TWELFTH CALENDAR DAY AT SACRAMENTO, CALIFORNIA



NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Tuesday, July 1, 1997

The Assembly met at 7 a.m. Hon. Antonio R. Villaraigosa, Majority Floor Leader, presiding. Chief Clerk E. Dotson Wilson at the Desk. Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—80:

Ackerman	Davis	Lempert	Prenter
Aguiar	Ducheny	Leonard	Pringle
Alby	Escutia	Machado	Richter
Alquist	Figueroa	Margett	Runner
Aroner	Firestone	Martinez	Scott
Ashburn	Floyd	Mazzoni	Shelley
Baca	Frusetta	McClintock	Strom-Martin
Baldwin	Gallegos	Migden	Sweeney
Battin	Goldsmith	Miller	Takasugi
Baugh	Granlund	Morrissey	Thompson
Bordonaro	Havice	Morrow	Thomson
Bowen	Hertzberg	Murray	Torlakson
Bowler	Honda	Napolitano	Villaraigosa
Brewer	House	Olberg	Vincent
Brown	Kaloogian	Oller	Washington
Caldera	Keeley	Ortiz	Wayne
Campbell	Knox	Pacheco	Wildman
Cardenas	Kuehl	Papan	Woods
Cardoza	Kuykendall	Perata	Wright
Cunneen	Leach	Poochigian	Mr. Speaker

Quorum present.

At 2:22 p.m., Hon. Louis J. Papan, 19th District, presiding REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

July 1, 1997

E. Dotson Wilson

Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

Dear Dotson: Please be advised that I am appointing Assemblymember Jim Battin to the Assembly Water, Parks and Wildlife Committee to replace Assemblymember Bruce Thompson for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

July 1, 1997

E. Dotson Wilson

Chief Clerk of the Assembly State Capitol, Room 3196 Sacramento, California

Dear Dotson: Please be advised that I am appointing Assemblymember Rod Wright to the Assembly Insurance Committee for today, July 1, 1997, only.

Thank you for your attention to this request.

Sincerely,

CRUZ M. BUSTAMANTE Speaker of the Assembly

MESSAGES FROM THE SENATE

Senate Chamber, July 1, 1997

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Peace vice Senator Johnston to the Committee on Conference concerning:

Senate Bill No. 285.

GREG P. SCHMIDT, Secretary of the Senate By John W. Rovane, Assistant Secretary

RESOLUTIONS

The following resolution was offered:

 ${\bf HOUSE\ RESOLUTION\ NO.\ 37--Cardoza\ (Principal\ coauthor:\ Leonard).\ Relative\ to\ the\ American\ flag.}$

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, July 1, 1997

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(2), 61(a)(5), and 61(a)(7) as it relates to Assembly Bill No. 1468.

ROBERT M. HERTZBERG

Above request ordered transmitted to the Committee on Rules.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 1, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1218 Assembly Bill No. 1418

Assembly Bill No. 1468

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

AUTHOR'S AMENDMENTS Committee on Transportation

July 1, 1997

Mr. Speaker: The Chair of your Committee on Transportation reports:

Senate Bill No. 545

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chairman

SENATE BILL NO. 545—An act to amend Sections 668 and 668.1 of, to add Section 658.6 to, and to repeal and add Section 658.5 of, the Harbors and Navigation Code, relating to vessels.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Local Government

July 1, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1615

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SWEENEY, Chairman

ASSEMBLY BILL NO. 1615—An act to amend Sections 66452.6 and 66463.5 of the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Banking and Finance

July 1, 1997

Mr. Speaker: The Chair of your Committee on Banking and Finance reports: Senate Bill No. 1291

With author's amendments with the recommendation: Amend, and re-refer to the committee.

PAPAN. Chairman

SENATE BILL NO. 1291—An act to amend Sections 1799.90, 1799.91, 2985.7, and 2986.13 of, and to repeal and add Sections 2985.71 and 2985.8 of, the Civil Code, relating to motor vehicle leases.

AUTHOR'S AMENDMENTS Committee on Health

July 1, 1997

Mr. Speaker: The Chair of your Committee on Health reports: Senate Bill No. 1061

With author's amendments with the recommendation: Amend, and re-refer to the committee

GALLEGOS, Chairman

SENATE BILL NO. 1061—An act to repeal and add Section 1599.61 of the Health and Safety Code, relating to long-term health care facilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Banking and Finance

July 1, 1997

Mr. Speaker: The Chair of your Committee on Banking and Finance reports: Senate Bill No. 1200

With author's amendments with the recommendation: Amend, and re-refer to the committee.

PAPAN, Chairman

SENATE BILL NO. 1200—An act to amend Section 1107 of the Corporations Code, relating to corporations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Transportation

July 1, 1997

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 567

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chairman

SENATE BILL NO. 567—An act to amend Section 130051 of, and to add Chapter 6 (commencing with Section 130600) to Division 12 of, the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Transportation

July 1, 1997

Mr. Speaker: The Chair of your Committee on Transportation reports: Senate Bill No. 1325

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MURRAY, Chairman

SENATE BILL NO. 1325—An act to amend Section 2982 of the Civil Code, and to amend Sections 14602.6 and 22850.5 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Governmental Organization

July 1, 1997

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 481

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairwoman

SENATE BILL NO. 481—An act to amend Section 19564 of the Business and Professions Code, relating to horseracing.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Local Government

July 1, 1997

Mr. Speaker: The Chair of your Committee on Local Government reports: Senate Bill No. 255

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SWEENEY, Chairman

SENATE BILL NO. 255—An act to amend Section 15301 of the Government Code, relating to armories.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Labor and Employment

July 1, 1997

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 394 Senate Bill No. 655

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FLOYD, Chairman

SENATE BILL NO. 394—An act to add Section 33117.7 to the Education Code, and to amend Section 15037.1 of the Unemployment Insurance Code, relating to school-to-career opportunities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 655—An act to add Chapter 6 (commencing with Section 11010) to Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

AUTHOR'S AMENDMENTS Committee on Natural Resources

July 1, 1997

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 815

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BOWEN, Chairwoman

SENATE BILL NO. 815—An act to amend Section 66801 of the Government Code, relating to the Tahoe Regional Planning Compact.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Natural Resources

July 1, 1997

Mr. Speaker: The Chair of your Committee on Natural Resources reports: Senate Bill No. 230

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BOWEN, Chairwoman

SENATE BILL NO. 230—An act to amend Section 41712 of the Health and Safety Code, relating to air pollution.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Judiciary

July 1, 1997

Mr. Speaker: The Chair of your Committee on Judiciary reports: Senate Bill No. 214

With author's amendments with the recommendation: Amend, and re-refer to the committee.

ESCUTIA, Chairwoman

SENATE BILL NO. 214—An act to amend Section 1804.1 of, and to add Article 1.7 (commencing with Section 2946.1) to Chapter 2 of Title 14 of Part 4 of Division 3 of, the Civil Code, relating to contracts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Utilities and Commerce

July 1, 1997

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports: Senate Bill No. 252

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MARTINEZ, Chairwoman

SENATE BILL NO. 252—An act relating to public utilities.

AUTHOR'S AMENDMENTS Committee on Public Safety

July 1, 1997

Mr. Speaker: The Chair of your Committee on Public Safety reports: Senate Bill No. 1092

With author's amendments with the recommendation: Amend, and re-refer to the committee

HERTZBERG, Chairman

SENATE BILL NO. 1092—An act to add Section 13929 to the Government Code, relating to victims of crime.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Consumer Protection, Governmental Efficiency, and Economic Development

July 1, 1997

Mr. Speaker: The Chair of your Committee on Consumer Protection, Governmental Efficiency, and Economic Development reports:

Senate Bill No. 1184 Senate Bill No. 1348

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DAVIS, Chairwoman

SENATE BILL NO. 1184—An act to amend Sections 63000, 63010, 63021, 63025.1, 63026, 63055, and 63071 of, to amend and renumber Sections 63042 and 63048 of, to amend and renumber the headings of Article 4 (commencing with Section 63042) and Article 6 (commencing with Section 63048) of Chapter 2 of Division 1 of Title 6.7 of, to add Sections 63027, 63028, 63037, 63084, 63085, 63086, and 63087 to, to repeal Section 63001 of, to repeal Article 3 (commencing with Section 63040) of Chapter 2 of Division 1 of Title 6.7 of, to repeal the heading of Article 1 (commencing with Section 63050) of Chapter 3 of Division 1 of Title 6.7 of, to repeal Part 10.2 (commencing with Section 15710) of Division 3 of Title 2 of, and to repeal and add Article 5 (commencing with Section 63043) of Chapter 2 of Division 1 of Title 6.7 of, the Government Code, relating to state infrastructure.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 1348—An act to amend Sections 5053, 5055, 5056, 5060, 5070.6, 5071, 5072, 5073, 5081.1, 5084, 5153, 11302, 11315, 11410, and 17550.47 of, to add Sections 5058.1, 11316, 11317, 11318, and 11409 to, and to repeal Sections 5059, 5074, 5075, and 5076 of, the Business and Professions Code, relating to professions.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Rules

July 1, 1997

 $\mbox{Mr.}$ Speaker: The Chair of your Committee on Rules reports:

House Resolution No. 35

With author's amendments with the recommendation: Amend, and re-refer to the committee.

HOUSE RESOLUTION NO. 35—Relative to Assembly Rule 40.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Elections, Reapportionment and Constitutional Amendments

July 1, 1997

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 363

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VINCENT, Chairman

SENATE BILL NO. 363—An act to amend Sections 81007.5, 82015, and 82025 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Education

July 1, 1997

Mr. Speaker: The Chair of your Committee on Education reports: Senate Bill No. 300

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MAZZONI, Chairwoman

SENATE BILL NO. 300—An act to repeal and add Chapter 6.1 (commencing with Section 52050) of Part 28 of the Education Code, relating to education, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS Committee on Higher Education

July 1, 1997

Mr. Speaker: The Chair of your Committee on Higher Education reports: Senate Bill No. 624

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LEMPERT, Chairman

SENATE BILL NO. 624—An act relating to postsecondary education.

REPORTS OF STANDING COMMITTEES

Committee on Elections, Reapportionment and Constitutional Amendments

Date of Hearing: June 30, 1997

 $\mbox{Mr.}$ Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 671

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

VINCENT, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 30, 1997

Mr. Speaker: Your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Senate Bill No. 269

Senate Bill No. 949

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

VINCENT, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: June 30, 1997

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 1215

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

BOWEN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 30, 1997

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 72

Senate Bill No. 573

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

BOWEN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Committee on Education

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 1163

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

MAZZONI, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 853

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Public Safety.

MAZZONI, Chairwoman

Above bill ordered to second reading.

Committee on Consumer Protection, Governmental Efficiency and Economic Development

Date of Hearing: June 24, 1997

Mr. Speaker: Your Committee on Consumer Protection, Governmental Efficiency and Economic Development reports:

Senate Bill No. 189 Senate Bill No. 780

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

DAVIS, Chairwoman

Above bills ordered to second reading.

Committee on Labor and Employment

Date of Hearing: June 25, 1997

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 1363

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

FLOYD, Chairman

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 78 and 531, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 10—An act to amend Sections 2550, 2561, 2562, 2563, 2566, and 14054 of, to amend and repeal Section 2551 of, and to add Section 2567 to, the Education Code, relating to school finance, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 514—An act to amend Section 51226.3 of the Education Code, relating to educational curriculum.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 458—An act to add Section 11019.7 to the Government Code, relating to state agencies.

Bill read second time; amendments proposed by the Committee on Consumer Protection, Governmental Efficiency and Economic Development read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 540—An act relating to the San Joaquin County Office of Education, and making an appropriation therefor, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill read second time; amendments proposed by the Committee on Education read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations. **SENATE BILL NO. 789**—An act to amend Section 409 of the Streets and Highways Code, relating to highways.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 416—An act to add Section 124.1 to the Streets and Highways Code, relating to highways.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 220—An act to amend Section 19556 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 448—An act to add Section 6254.16 to the Government Code, relating to public records.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 584—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 127—An act to amend Section 19533.5 of the Business and Professions Code, relating to horseracing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 526—An act to amend Section 1054.2 of the Penal Code, relating to criminal procedure.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 443—An act to amend Section 1524 of, and to add Section 637.7 to, the Penal Code, relating to criminal procedure.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 1, 1997

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Joint Resolution No. 32

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Housing and Community Development, on Wednesday, July 9, 1997, at 9 a.m., in Room 126.

ADJOURNMENT

At 11:50 p.m., the Assembly adjourned until 7 a.m., Wednesday, July 2, 1997.

CRUZ M. BUSTAMANTE, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JULY 1, 1997

The following measures were amended in the Assembly on this day:

AB	RN	SB F	RN		
1615	9717271	514 97	716928		
		526 93	717169		
HR	RN	540 93	717095		
35	9717213	545 93	716990		
33	7111213	567 93	717239		
SB	RN	624 97	717110		
	,	655 97	717009	\	
10	9716929	655	*	(Set	2)
214	9717073	789 93	716781		
230	9716961	815 97	716403		
252	9717244	1061 97	717058		
255	9716891	1092 97	717018		
300	9717237	1184 9	716836		
363	9716829	1200 9	717144		
394	9716995	1291 9	716914		
416	9716834		717023		
443	9716957	/	716987		
458	9716997	1310	10/01		
481	9716936				

Daily Total: 30 Cumulative Total: 2424

(NOTE: "*" Refers to amendments received in non-Legislative Counsel form.)